

MV-984 (12/11)



New York State Department of Motor Vehicles

DIVISION OF LABOR RELATIONS

**REPORT OF WORKPLACE VIOLENCE INCIDENT**

Please fill out the form as accurately as possible and fax it to the Division of Field Investigation at (518) 474-7543 **AND** Labor Relations at (518) 474-8423. If the incident is a written threat, please include a copy of the letter with this report. Originals should be maintained in a workplace violence report folder at the primary office that the reporter works in.

| OFFICE USE ONLY  |  |
|------------------|--|
| FILE NUMBER:     |  |
| Received:        |  |
| X RE:            |  |
| X RE:            |  |
| PRIVACY CONCERN: | <input type="checkbox"/> YES <input type="checkbox"/> NO |

**NAME OF INDIVIDUAL FILING REPORT**

|                     |                       |                                       |                              |
|---------------------|-----------------------|---------------------------------------|------------------------------|
| Name<br>David Smart | Title<br>Guard-Summit | Office Location<br>Brooklyn South TVB | Phone Number<br>718-266-5512 |
|---------------------|-----------------------|---------------------------------------|------------------------------|

**INCIDENT REPORTED TO**

|                          |                                      |                              |
|--------------------------|--------------------------------------|------------------------------|
| Date Reported<br>5/11/15 | Person Reported To<br>Danielle Calvo | Title<br>Supervisor Grade 17 |
|--------------------------|--------------------------------------|------------------------------|

**INCIDENT**

|  |                  |  |  |
|--|------------------|--|--|
| Date<br>5/11/15  | Time<br>8:50     | <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM | Location of Occurrence<br>Brooklyn South TVB near line 1 |
| DFI Contacted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | DFI Contact Name |  |  |

**EMPLOYEES INVOLVED**

|                     |   |
|---------------------|---|
| Name<br>David Smart | Title<br>Security Guard-Summit Security |
| Name                | Title                                   |
| Name                | Title                                   |

**OUTSIDE INDIVIDUALS INVOLVED**

|  |  |                       |                   |
|--|--|-----------------------|-------------------|
| Name<br>Mario H. Capogrosso                  | Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | Phone<br>914-806-3692 | Client ID #       |
| Address<br>245 Saw Mill River Road Suite 106 | City<br>Hawthorne  | State<br>NY           | Zip Code<br>10532 |
| Name   | Sex <input type="checkbox"/> Male <input type="checkbox"/> Female            | Phone                 | Client ID #       |
| Address                                      | City   | State                 | Zip Code          |
| Name   | Sex <input type="checkbox"/> Male <input type="checkbox"/> Female            | Phone                 | Client ID #       |
| Address                                      | City   | State                 | Zip Code          |

**WITNESSES**

|                                 |  |                       |                   |
|---------------------------------|--|-----------------------|-------------------|
| Name<br>George Han-MVR          | Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | Phone<br>718-266-5512 |                   |
| Address<br>2875 West 8th Street | City<br>Brooklyn   | State<br>NY           | Zip Code<br>11224 |
| Name<br>Anthony Adinolfi, ESQ   | Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | Phone<br>718-265-2211 |                   |
| Address<br>2875 West 8th Street | City<br>Brooklyn   | State<br>NY           | Zip Code<br>11224 |
| Name                            | Sex <input type="checkbox"/> Male <input type="checkbox"/> Female            | Phone                 |                   |
| Address                         | City   | State                 | Zip Code          |

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DMV-0000005

**EXHIBIT**

Exhibit 33

**Description of Events Leading to the Incident and What Occured:**

Near line 1 Mr. Capogrosso said to security guard David Smart "Are you looking at me?". David replied "You are looking at me". Mr. Capogrosso said "back up, back up", he then pushed David in his chest.

**Nature and Extent of Injuries:**

**Additional Comments:**

911 was called and two officers responded. David went up to the 60pct with them to make a report. They said that they could not arrest Mr. Capogrosso because he pushed David with an open hand not a closed fist. I was told by Judge Gelbstein to go with officers from the police room, to tell Mr. Capogrosso that he must leave the building, and to give him legal's phone number for any further details. I did that and he left the building.

Danielle Calvo

\_\_\_\_\_  
Name of Individual Filing Report



\_\_\_\_\_  
Signature of Individual Filing Report

5/11/15

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Supervisor

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date